1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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SUMMARY RECORD OF THE 14th MEETING

Held at United Nations Headquarters, New York,
on Friday, 5 May 1995, at 3 p.m.

President: Mr. DHANAPALA (Sri Lanka)

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The meeting was called to order at 3.20 p.m.

REPORTS OF THE MAIN COMMITTEES

1. The PRESIDENT said that he would suspend the meeting in order to allow Main Committee II to adopt its report.

The meeting was suspended at 3.25 p.m. and resumed at 4.40 p.m.

2. The PRESIDENT said that Main Committee I would need to hold an additional meeting in order to adopt its report and would submit its final report on Monday, 8 May 1995. He took it that the Conference agreed with that request.

3. It was so decided.

4. The PRESIDENT invited the Chairman of Main Committee II to introduce his report.

5. Mr. ERDŐS (Hungary) said that Main Committee II had completed its work on all the relevant issues that had been entrusted to it by the Conference except for export controls; the latter would be further discussed in a drafting group, which would report its results directly to the Drafting Committee.

6. The Committee had reached agreement on the agenda items concerning the review of article III and its relation to articles I, II, IV and VII of the Treaty, with the exception of a few sentences that remained in brackets in the report. On the issue of safeguards, the Committee had reached a consensus on the text and language except for the paragraphs relating to Iraq and the Democratic People's Republic of Korea, which had been referred to the Drafting Committee for finalization.

7. The Committee had agreed that safeguards were an important part of the international non-proliferation regime and that they played an indispensable role in ensuring the implementation of the Treaty. It had also agreed on the importance of both the safeguards system and the legitimate right of States parties, especially the developing countries, to the benefits of the peaceful uses of nuclear energy. The Committee had welcomed the continued efforts of the International Atomic Energy Agency (IAEA) to improve the effectiveness and efficiency of safeguards and called upon all States parties to the Treaty to continue their political, technical and financial support for the IAEA safeguards system. The Committee had also called for the wider application of safeguards to peaceful nuclear facilities in the nuclear-weapon States and underscored the importance of State and regional systems of accounting and control and their contribution to the effective and efficient implementation of safeguards. It had noted the need for greater transparency in matters relating to the management of plutonium and highly enriched uranium for civil purposes and had stressed the importance of the effective physical protection of nuclear material, especially nuclear material usable for military purposes. The

Committee had also expressed concern at instances of illicit trafficking in nuclear material.

8. The Committee had reached agreement on the texts submitted on nuclear-weapon-free zones, except for those calling for the establishment of such zones in the Middle East and Central Europe. It had also expressed its support for the need for nuclear-weapon-free zones and agreed that such zones contributed to the enhancement of regional peace and security and strengthened further the barrier to the proliferation of nuclear weapons and other nuclear explosive devices.

9. The PRESIDENT took it that the Conference wished to take note of the report of Main Committee II.

10. It was so decided.

11. The PRESIDENT invited the Chairman of Main Committee III to present his report.

12. Mr. RAMAKER (Netherlands) said that an advance copy of the report had been made available to delegations as document NPT/CONF.1995/MC.III/1. The Committee had worked intensively to arrive at generally acceptable formulations for the Final Declaration on article IV regarding peaceful uses of nuclear energy, article V on peaceful nuclear explosions, and article IX concerning wider adherence to the Convention.

13. Because of the spirit of good will that had prevailed in the Committee's deliberations, all the paragraphs save one in the substantive part of the document had been agreed. The language of the formulations was significant in that it indicated the considerable amount of cooperation that actually existed in the field of peaceful uses of nuclear energy. He wished to commend the ideas contained in the agreed part of the text to the Conference for inclusion in the Final Declaration.

14. The paragraph left in brackets expressed concerns over full access to nuclear technology, a question which was of keen interest to the Conference. It was the understanding of Main Committee III that the paragraph would be taken up for consideration by the Drafting Committee.

15. The PRESIDENT took it that the Conference wished to take note of the report of Main Committee III.

16. It was so decided.

OTHER MATTERS

17. The PRESIDENT invited the Chairman of the Credentials Committee to present his interim report.

18. Mr. GARCIA (Colombia) said that delegations would find the report in document NPT/CONF.1995/CC/L.1. The Credentials Committee established by the Conference had met twice to examine the credentials of representatives

participating in the Conference. The interim report contained information on the status of credentials received as of 27 April. Additional credentials had been received since that date, and the Committee had held a third meeting on 4 May.

19. Based on information received from the Secretary-General of the Conference, the Committee had decided to accept the credentials of 168 States participating in the Conference, on the understanding that those delegations which had not presented their credentials in the form required by rule 2 of the rules of procedure would do so as soon as possible. The Credentials Committee intended to keep the situation under review.

20. The PRESIDENT, reporting on his consultations on one outstanding aspect of rule 28.3 (f), said that a consensus seemed to be emerging that would allow the Conference to adopt the rules of procedure formally, but that further discussion was still required.

21. Mr. WESTDAL (Canada), on behalf of the 103 sponsors, namely, Albania, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Belgium, Benin, Bolivia, Bulgaria, Cambodia, Cameroon, Canada, Central African Republic, Chad, Costa Rica, Côte d'Ivoire, Croatia, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Greece, Grenada, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Marshall Islands, Federated States of Micronesia, Monaco, Mongolia, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Republic of Palau, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Tajikistan, the former Yugoslav Republic of Macedonia, Togo, Tonga, Turkey, Turkmenistan, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Uzbekistan, introduced the following draft decision: "The Conference of States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held in accordance with article X.2 of the Treaty, decides that the Treaty shall continue in force indefinitely".

22. Mr. TARNIDZI (Indonesia), speaking on behalf of some members of the Non-Aligned Movement and supported by a number of other countries, suggested that the decision on extending the Treaty should reflect both the spirit and the letter of article X, paragraph 2, of that Treaty and should be characterized by consensus, recognition of the legitimate concerns and interests of all States parties, compatibility with the Treaty's stated objectives, the implementation of a review procedure, and the establishment of a decision-making mechanism on the Treaty's roll-over extension from one period to another.

23. The option of an indefinite extension of the Treaty did not meet those requirements since it would basically perpetuate the status quo, and in addition it was flawed by the lack of a strong and effective review procedure and an appropriate decision-making mechanism.

24. The aforementioned requirements would be met by extending the Treaty for rolling fixed periods of 25 years; the Treaty would be automatically renewable unless a majority of the States parties decided otherwise, and it would be supplemented by a strong and effective review mechanism. Furthermore, 25 years was also long enough to facilitate the planning and implementation of the transfer of technology for peaceful uses of nuclear energy as envisaged by article IV of the Treaty.

25. Mr. BAEL (Philippines) said that his delegation wished to join the sponsors of the draft decision introduced by Canada. It did so in order to make a point, namely that there should be no bargaining in nuclear non-proliferation or nuclear disarmament. That common vision could only be achieved through negotiations in good faith as mandated by article VI of the Treaty. The review process, even if strengthened with principles, did not constitute negotiations in good faith. The distinction between negotiations in good faith and review every five years was made absolutely explicit in the Treaty. The review process had never resulted in binding commitments; it had merely led to wrangling over whose interpretation of compliance should be included in the resulting declaration.

26. In the light of the new geopolitical situation following the end of the cold war, States parties should fulfil their obligations under article VI and embark on negotiations in good faith. The best way to achieve that goal would be to convene an international conference that would eventually prescribe binding commitments.

27. Mr. GONZALEZ GALVEZ (Mexico) said that while his delegation found the arguments in favour of indefinite extension convincing, there were a number of other matters that needed to be dealt with first; they could only be addressed through an adequate review mechanism. Accordingly, the Conference should adopt a compromise formula which his delegation would submit in due course.

The meeting rose at 5.30 p.m.